

RESOLUTION AUTHORIZING PASS-THROUGH CHARGES AND PASS-THROUGH CREDITS IN ACCORDANCE WITH THE AGREEMENT BETWEEN AMERICAN WATER ENTERPRISES, INC., ON BEHALF OF AMERICAN WATER SERVICES, INC., AND THE TOWNSHIP OF NORTH BRUNSWICK RELATING TO NEW EQUIPMENT INSTALLED AT THE TOWNSHIP'S WATER TREATMENT PLANT

WHEREAS, on August 27, 2002, American Water Enterprises, Inc., on behalf of American Water Services, Inc., hereafter (American Water) , the Middlesex County Improvement Authority (hereinafter the "MCIA"), and the Township of North Brunswick entered into a Water Services Agreement ("Services Agreement") for the operation of the Township's water system ("Water System"); and

WHEREAS, pursuant to Section 8.2 of the Services Agreement, there is provision for net adjustments to the Annual Management Fee payable to American Water by the Township; and

WHEREAS, American Water has submitted claims for pass-through charges from third party providers for maintenance costs for new software and equipment installed at the Water Treatment Plant in 2009 amounting to Thirty-Six Thousand Two-Hundred and Eighty-Four dollars (\$36,284.00) and a pass-through credit for solar energy savings of Seven-Thousand Seven-Hundred and Fifty-Two dollars (\$7,752.00); and

WHEREAS, American Water is seeking application for these pass-through charges and credits to be applicable starting with the contract year October 1, 2013; and

WHEREAS, the Business Administrator has reviewed the proposed pass-through charges and pass-through credit and recommends approval of same to the Governing Body as a being justified and consistent with Section 8.2 of the Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of North Brunswick, County of Middlesex and State of New Jersey, that it hereby authorizes and approves the Pass-through Charges and Pass-through Credit presented by American Water for a net pass-through charge of Twenty-eight Thousand Five Hundred and Thirty Two Dollars (\$28,532.00) to be added to its fixed management fee as of October 1, 2013 and to apply until the end of the current contract on September 30, 2022.

Robert Lombard
Business Administrator

Ronald Gordon, Esq.
Township Attorney
Approved as to legal form

ROLL CALL:

| COUNCIL MEMBER | YES | NO | ABSTAIN | NOTES |
|----------------|-----|----|---------|-------|
| NARRA | | | | |
| ANDREWS | | | | |
| CORBIN | | | | |
| DAVIS | | | | |
| SOCIO | | | | |
| NICOLA | | | | |
| WOMACK | | | | |

CERTIFICATION

I hereby certify that the above Resolution was duly adopted by the Township Council of the Township of North Brunswick, County of Middlesex, at its meeting held on December 15, 2014.

Lisa Russo, Township Clerk